

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 ALFREDO TERRAZAS
Senior Assistant Attorney General
3 ARTHUR D. TAGGART, State Bar No. 83047
Supervising Deputy Attorney General
4 California Department of Justice
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-5339
Facsimile: (916) 327-8643

7 Attorneys for Complainant
8

9 **BEFORE THE**
10 **BOARD OF REGISTERED NURSING**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

12 In the Matter of the Accusation Against:

13 KAREN RUTH WILLIAMS,
a.k.a. KAREN WILLIAMS
14 12611 Hillside
Truckee, CA 96161

15 Registered Nurse License No. 190474
16 Clinical Nurse Specialist Certificate No. 1313

17 Respondent.
18

Case No. 2008-9

DEFAULT DECISION

[Gov. Code §11520]

19 **FINDINGS OF FACT**

20 1. On or about July 6, 2007, Complainant Ruth Ann Terry, M.P.H., R.N., in
21 her official capacity as the Executive Officer of the Board of Registered Nursing, Department of
22 Consumer Affairs, filed Accusation No. 2008-9 against Karen Ruth Williams, also known as
23 Karen Williams ("Respondent"), before the Board of Registered Nursing.

24 2. On or about July 31, 1968, the Board of Registered Nursing ("Board")
25 issued Registered Nurse License Number 190474 to Respondent. Respondent's registered nurse
26 license will expire on March 31, 2008, unless renewed.

27 3. On or about March 29, 2000, the Board issued Clinical Nurse Specialist
28 Certificate Number 1313 to Respondent. Respondent's clinical nurse specialist certificate will

1 expire on March 31, 2008, unless renewed.

2 4. On or about July 13, 2007, Araceli Mercado, an employee of the Office of
3 the Attorney General, served by Certified and First Class Mail a copy of the Accusation No.
4 2008-9, Statement to Respondent, Notice of Defense, Request for Discovery, and Government
5 Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record with the Board,
6 which was and is 12611 Hillside, Truckee, CA 96161. A copy of the Accusation and the related
7 documents are attached as exhibit A and are incorporated herein by reference.

8 5. Service of the Accusation was effective as a matter of law under the
9 provisions of Government Code section 11505, subdivision (c).

10 6. Business and Professions Code section 118 states, in pertinent part:

11 (b) The suspension, expiration, or forfeiture by operation of law of a
12 license issued by a board in the department, or its suspension, forfeiture, or
13 cancellation by order of the board or by order of a court of law, or its surrender
14 without the written consent of the board, shall not, during any period in which it
15 may be renewed, restored, reissued, or reinstated, deprive the board of its
authority to institute or continue a disciplinary proceeding against the licensee
upon any ground provided by law or to enter an order suspending or revoking the
license or otherwise taking disciplinary action against the license on any such
ground.

16 7. Government Code section 11506 states, in pertinent part:

17 (c) The respondent shall be entitled to a hearing on the merits if the
18 respondent files a notice of defense, and the notice shall be deemed a specific
19 denial of all parts of the accusation not expressly admitted. Failure to file a notice
of defense shall constitute a waiver of respondent's right to a hearing, but the
agency in its discretion may nevertheless grant a hearing.

20 8. Respondent failed to file a Notice of Defense within 15 days after service
21 upon her of the Accusation, and therefore waived her right to a hearing on the merits of
22 Accusation No. 2008-9.

23 9. California Government Code section 11520 states, in pertinent part:

24 (a) If the respondent either fails to file a notice of defense or to appear at
25 the hearing, the agency may take action based upon the respondent's express
admissions or upon other evidence and affidavits may be used as evidence without
any notice to respondent.

26 10. Pursuant to its authority under Government Code section 11520, the Board
27 finds Respondent is in default. The Board will take action without further hearing and, based on
28

1 Respondent's express admissions by way of default and the evidence before it, contained in
2 exhibit A, finds that the allegations in Accusation No. 2008-9 are true.

3 11. The total costs for investigation and enforcement are \$468.75 as of August
4 30, 2007.

5 **DETERMINATION OF ISSUES**

6 1. Based on the foregoing findings of fact, Respondent Karen Ruth Williams,
7 also known as Karen Williams, has subjected her Registered Nurse License Number 190474 and
8 Clinical Nurse Specialist Certificate No. 1313 to discipline.

9 2. A copy of the Accusation and the related documents are attached.

10 3. The agency has jurisdiction to adjudicate this case by default.

11 4. The Board of Registered Nursing is authorized to revoke Respondent's
12 Registered Nurse License and Clinical Nurse Specialist Certificate based upon the following
13 violation alleged in the Accusation: Business and Professions Code section 2761, subdivision
14 (a)(4) (disciplinary action by the Nevada State Board of Nursing).

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25 Attachments:

26 Exhibit A: Accusation No. 2008-9 and Related Documents

27
28 DOJ docket number: 03579110-SA2007100201
10372173.wpd

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14 12611 Hillside
Truckee, CA 96161

15 Registered Nurse License No. 190474
16 Clinical Nurse Specialist Certificate No. 1313

17 Respondent.
18

Case No. 2008-9

ORDER ON DEFAULT DECISION

[Gov. Code §11520]

19 IT IS SO ORDERED that Registered Nurse License Number 190474 and Clinical
20 Nurse Specialist Certificate No. 1313, heretofore issued to Respondent Karen Ruth Williams,
21 also known as Karen Williams, are revoked.

22 Pursuant to Government Code section 11520, subdivision (c), Respondent may
23 serve a written motion requesting that the Decision be vacated and stating the grounds relied on
24 within seven (7) days after service of the Decision on Respondent. The agency in its discretion

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1 may vacate the Decision and grant a hearing on a showing of good cause, as defined in the
2 statute.

3 This Decision shall become effective on December 19, 2007.

4 It is so ORDERED November 19, 2007

5 *La Francine W Tate*

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7 FOR THE BOARD OF REGISTERED NURSING
8 DEPARTMENT OF CONSUMER AFFAIRS
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Exhibit A

Accusation No. 2008-9 and Related Documents

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of the State of California
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10 **BOARD OF REGISTERED NURSING**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

12 In the Matter of the Accusation Against:

Case No. 2008-9

13 KAREN RUTH WILLIAMS,
a.k.a. KAREN WILLIAMS
14 12611 Hillside
Truckee, CA 96161

A C C U S A T I O N

15 Registered Nurse License No. 190474
16 Clinical Nurse Specialist Certificate No. 313

17 Respondent.
18

19 Complainant alleges:

20 **PARTIES**

21 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation
22 solely in her official capacity as the Executive Officer of the Board of Registered Nursing
23 ("Board"), Department of Consumer Affairs.

24 **Registered Nurse License No. 190474**

25 2. On or about July 31, 1968, the Board issued Registered Nurse License
26 Number 190474 to Karen Ruth Williams, also known as Karen Williams ("Respondent").
27 Respondent's registered nurse license was in full force and effect at all times relevant to the
28 charges brought herein and will expire on March 31, 2008, unless renewed.

1 **Clinical Nurse Specialist Certificate No. 313**

2 3. On or about March 29, 2000, the Board issued Clinical Nurse Specialist
3 Certificate Number 313 to Respondent. Respondent's clinical nurse specialist certificate was in
4 full force and effect at all times relevant to the charges brought herein and will expire on March
5 31, 2008, unless renewed.

6 **STATUTORY PROVISIONS**

7 4. Business and Professions Code ("Code") section 2750 provides, in
8 pertinent part, that the Board may discipline any licensee, including a licensee holding a
9 temporary or an inactive license, for any reason provided in Article 3 (commencing with section
10 2750) of the Nursing Practice Act.

11 5. Code section 2764 provides, in pertinent part, that the expiration of a
12 license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding
13 against the licensee or to render a decision imposing discipline on the license. Under Code
14 section 2811, subdivision (b), the Board may renew an expired license at any time within eight
15 years after the expiration.

16 6. Code section 2761 states, in pertinent part:

17 The board may take disciplinary action against a certified or licensed nurse
18 or deny an application for a certificate or license for any of the following:

19 (a) Unprofessional conduct. . .

20

21 (4) Denial of licensure, revocation, suspension, restriction, or any other
22 disciplinary action against a health care professional license or certificate by
23 another state or territory of the United States, by any other government agency, or
24 by another California health care professional licensing board. A certified copy of
25 the decision or judgment shall be conclusive evidence of that action . . .

26 **COST RECOVERY**

27 7. Code section 125.3 provides, in pertinent part, that the Board may request
28 the administrative law judge to direct a licentiate found to have committed a violation or
29 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
30 and enforcement of the case.

1 **CAUSE FOR DISCIPLINE**

2 **(Disciplinary Action by the Nevada State Board of Nursing)**

3 8. Respondent is subject to disciplinary action pursuant to Code section
4 2761, subdivision (a)(4), on the grounds of unprofessional conduct. On or about September 21,
5 2006, pursuant to the Voluntary Surrender of License in Lieu of Other Disciplinary Action
6 ("Voluntary Surrender"), accepted and approved by the Nevada State Board of Nursing, in the
7 disciplinary proceeding titled *In the Matter of Karen Williams Licensed Professional Nurse*
8 *Nevada License No. RN48133*, Case No. 0529-06C, Respondent voluntarily surrendered her
9 license to practice registered nursing in the state of Nevada. Respondent admitted that on or
10 about May 10, 2006, while employed as a registered nurse at Tahoe Forest Hospital, she diverted
11 and used narcotics while on duty and on her days off. A true and correct copy of the Voluntary
12 Surrender is attached as Exhibit "A" and incorporated herein by reference.

13 **PRAYER**

14 WHEREFORE, Complainant requests that a hearing be held on the matters herein
15 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 16 1. Revoking or suspending Registered Nurse License Number 190474, issued
17 to Karen Ruth Williams, also known as Karen Williams;
- 18 2. Revoking or suspending Clinical Nurse Specialist Certificate Number 313,
19 issued to Karen Ruth Williams, also known as Karen Williams;
- 20 3. Ordering Karen Ruth Williams, also known as Karen Williams, to pay the
21 Board of Registered Nursing the reasonable costs of the investigation and enforcement of this
22 case, pursuant to Business and Professions Code section 125.3; and

23 ///

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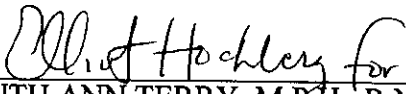
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4. Taking such other and further action as deemed necessary and proper.

DATED: 7/6/07


RUTH ANN TERRY, M.P.H., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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EXHIBIT A
Voluntary Surrender

ORIGINAL

BEFORE THE NEVADA STATE BOARD OF NURSING

RECEIVED - RENO
NEVADA STATE BOARD OF NURSING

IN THE MATTER OF
KAREN WILLIAMS
LICENSED PROFESSIONAL NURSE
NEVADA LICENSE NO. RN48133
RESPONDENT

VOLUNTARY SURRENDER OF
LICENSE IN LIEU OF OTHER
DISCIPLINARY ACTION

CASE NO. 0529-06C

I, KAREN WILLIAMS, wish to voluntarily surrender my Nevada Nursing License. I voluntarily and knowingly admit the following facts:

1. I am licensed as a Licensed Professional Nurse in the State of Nevada and I was licensed at the time of the conduct described herein and am, therefore, subject to the jurisdiction of the Board.
2. That on or about May 10, 2006, while I was employed as a Registered Nurse at Tahoe Forest Hospital, I diverted narcotics while on duty and on my days off, and used them while on duty.
3. I choose to voluntarily surrender my Nevada nursing license, in lieu of other disciplinary action by the Nevada State Board of Nursing.
4. I admit these incidents constitute grounds for disciplinary action pursuant to NRS 632.320(7), unprofessional conduct, because the conduct violated NAC 632.890(18) diversion of drugs.
5. I am aware of, understand, and have been advised of the effect of this Voluntary Surrender.
6. I have read this Voluntary Surrender and I fully understand and acknowledge its facts and terms.
7. I am aware that I have certain constitutional rights, including:
 - a. I have the right to hire an attorney to represent me in this proceeding;

- b. I have the right to demand a hearing on the charges against me, and I can require the Board staff to prove the allegations;
- c. I have the right to cross-examine the witnesses against me;
- d. I have the right to call witnesses to provide evidence in my own behalf;
- e. I have other rights accorded to me under Nevada Revised Statutes Chapters 233B, and 632. Also, I have rights accorded to me under Nevada Administrative Code Chapter 632.

8. I am aware of the foregoing rights, and I voluntarily, knowingly, and intelligently waive these rights in return for the Board accepting my voluntary surrender of my Nevada nursing license in lieu of other disciplinary action.

9. I understand this Voluntary Surrender is considered a disciplinary action and as such will become part of my permanent record.

10. I understand this Voluntary Surrender is considered public information.

11. I understand this Voluntary Surrender is considered a disciplinary action and will be reported to any national repository, which records disciplinary action taken against licensees or certificate holders, or any agency or another state, which regulates the practice of nursing.

12. I understand this Voluntary Surrender may be used in any subsequent hearings by the Board as evidence against me to establish a pattern of behavior and for the purpose of proving additional acts of misconduct.

13. This Voluntary Surrender shall not be construed as excluding or reducing any criminal or civil penalties or sanction or other remedies that may be applicable under federal, state or local laws.

14. I understand that this surrender is effective the day it is accepted by the Nevada State Board of Nursing, or may be effective pursuant to NRS 632.400 (2), however I agree to immediately cease and desist from practicing as a Registered Nurse, and I am returning my license with this signed Voluntary Surrender of License In Lieu of Other Disciplinary Action.

1 I, KAREN WILLIAMS, by my signature affixed below, agree with the foregoing facts
2 and representations and therefore choose to voluntarily surrender my Nevada nursing license.

3
4 Dated this 19 day of may, 2006

Karen Williams
RESPONDENT
KAREN WILLIAMS

5
6
7
8 State of Nevada

9
10 County of _____

11 This instrument was acknowledged before me on _____, 2006, by _____

12
13
14 _____
Notary Public

15
16 Accepted and approved this 21st day of September, 2006.

17
18
19 NEVADA STATE BOARD OF NURSING

20
21 By: _____

Helen Vos, MS, RN
Board President